

Water Committee Meeting  
Wednesday, March 27, 2019 5:00 PM  
Lower Platte North NRD Office  
P.O. Box 126  
Wahoo, NE 68066

## 1. UNFINISHED BUSINESS

## 2. REGULATORY

### 2.A. GROUND WATER MANAGEMENT AREA

#### 2.A.1. Certification of Acres Policy

Jovan wrote up a motion that would clarify the 2 out of 10 irrigation rule and what is certified irrigated acres.

\_\_\_\_\_ made the motion, seconded by \_\_\_\_\_, to clarify that once an irrigated acre has been certified as either a "historically irrigated acre" or has been issued a variance by the District those acres are no longer subject to the "two of the last ten years" rule as described within the District's groundwater rules and regulations. As a result, certified irrigated acres will not be retired by virtue of the fact they have not been put to beneficial use by the landowner for an extended period of time. Once the certified irrigated acres are put back into beneficial use by the landowner they shall be subject to the then existing rules and regulations of the District. The District retains the right to amend its groundwater rules and regulations should it later determine it as necessary or appropriate (ergo landowners should govern themselves accordingly as the District is not precluded from later adopting a rule for retirement of certified irrigated acres).

More discussion:

The plan, if the policy goes into effect, for staff to not allot this water to other acres or uses. At the present time the NRD still has a water allotment under the current 5 year V-IMP plan. To retain certified irrigation acres the land still needs to pay irrigated taxes. A limit on the number of acres that are not being used for cropland?

Background information:

The Committee heard from the industry representatives and individuals that were interested in pursuing solar installation sites, along with an individual that wanted to expand his cattle operation onto irrigated acres. They would like the option to retain irrigation rights, if the land is not irrigated 2 out of 10 years. Some of the solar installation sites can be as large as 800 - 1000 acres and need to be in close proximity to transmission lines. The solar installation sites pays property tax along with a nameplate tax for renewal energy. Other comments were an opportunity for a young family to come back to the farm if cropland is limited. The Committee discussed banking and transfer rules along with selling the irrigated

right. One company has individuals that will be needing to sign agreements in April. If Board is interested in a policy change, this could be done in a couple of months. A rule change for banking or transferring would required more time.

2.A.2. Well Permit Program

2.A.2.a. Well Permits Approved

Wells Permits Approved: #

Landowner	Number of Wells	Number of New Irrigated Acres	Type of Well	County	Subarea

The total number of approved permits for 2019 is #

Location of Approved Well Permits for 2019: Correct as of #####

County	Irrigation - New	Irrigation - Replacement	Stock	Commercial	Municipal	Other	Total
Butler							
Colfax							
Dodge							
Boone							
Madison							
Platte							
Saunders							
Total							

### 2.A.3. Special Quantity Subareas

A few livestock producers in the SQS areas had higher water use reports than other irrigated fields. The pivots are hooked up to lagoon water with the meters attached at the pivot point. If they can verify that it was lagoon water by a electric bill would that be acceptable to adjust the water use for that individual well? They met the water flow meter requirement as one is installed.

The Committee felt that the producer has the responsibility of installing the meter correctly or accept the water use that is shown by the meter. Tracking of each sites that is exempt could become complicated.

### 2.A.4. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

The March 19th meeting was postponed. At this time no makeup meeting has been scheduled and might be postponed until later in the summer along with the annual meeting.

### 2.A.5. Voluntary Integrated Water Management Plan - LPNNRD

The V-IMP report for 2018 is attached. This report is required on an annual basis by March 1.

### 2.A.6. Water Flow Meters

How do we proceed or does the NRD want to proceed in developing a procedure in installing flow meters District wide?

Questions to answer:

Would there be cost-share? Does the NRD tries for a grant first before proceeding? If approved would there be a procedure in place?

Staff still needs to get a better handle on meters currently installed.

Committee brought up the issue with fire departments that is only using high capacity wells in an emergency.

Shown is a couple of options that could be implemented.

Option 1 for Flow Meter Installation (Irrigation):

Year 1 - Colfax/Platte - 1661 meters

Year 2 - Butler/Western Saunders - 1500 meters

Year 3 - Eastern Saunders - 1554 meters

Year 4 - Dodge - 1238 meters

Year 4 - Boone/Madison - 234

Option 2 for Flow Meter Installation (Irrigation):

Year 1 - Stream Depletion Factor (SDF > 85%) - 1161 meters

Year 2 - SDF 80-90% - 1673

Year 3 - SDF 70-80% - 1011

Year 4 - SDF 60-70% - 959

Year 5 - SDF 0-60% - 848

If the NRD offers 50% cost-share on 1000 meters, potentially it could be \$750,000 for 5 years.

Another option is to offer cost-share for 3 years but keep it voluntary.

Committee asked staff to look into grants that could assist in the cost-share of water flow meters. If grant assistance could not be attained the Committee would at the time discuss options.

#### 2.A.6.a. Flow Meters and Remote Equipment Grant Opportunities

Attached is some information with a budget on a couple of grant opportunities for remote monitoring equipment. Both of these grants are federal grants from the Bureau of Reclamation. The Drought Resiliency grant deadline is due March 27, but something to consider in 2020. The Small Scale Efficiency Grant is due April 24.

The Small Scale Grant would be used to receive information remotely from the SQS areas. The information that could be received is water levels, rainfall, meter readings and ET (evaporation-transpiration) rates. This could be beneficial information during irrigation season for the NRD and producers.

The Drought Grant was looking at putting remote equipment in NRD dedicated monitoring wells throughout the District. Both of the grants are a 50 - 50 share with the partners. Possibility exist on receiving a state grant to match the federal grant.

#### 2.A.7. Cost Share Programs

##### 2.A.7.a. Well Sample Kits

The flood has contaminated domestic wells in many counties within the District. At this time the LPN still has around \$4,700 dollars in the Water Quality Budget. Midwest Labs is giving a 50% discount on sampling analysis (attached information sheet). Would it be OK to have the LPN offer to pick up the other 50%? The cost for the NRD would \$17.50 per sample. If the NRD was going to do this, promotion should go out soon.

2.A.7.b. Flow Meter Maintenance Program

2.A.8. Richland - Schuyler Phase 2 Area

2019 is the third year of this Phase 2 Area.

2.A.9. Richland - Schuyler Phase 3 Area

2018 is the third year of this Phase 3 Area. Fertilizer application reports have not yet been received from Mike Settles [Barta Family LLP] for tracts south of Richland. Efforts to contact him by telephone have been unsuccessful. A January 25<sup>th</sup> reminder letter has gone unanswered. Settles may not be the tenant for these tracts in 2019.

Option to consider is to send a certified letter to tenant and owner giving them a deadline with Committee to consider a Cease and Desist Order at the April Committee Meeting.

Committee authorized staff to send certified letters to the owner and operator with potential action starting at the Water Committee on May 1.

2.A.10. LPNNRD Operator Certification

Nine online tests have been completed since previous meeting (see following table).

Cert #	Cert date	Name	Re-cert	Comments
6423	3/8/2019	Randal Kremlacek	Yes	
7195	3/22/2019	Michael Kendall	No	Waverly producer
7196	3/22/2019	Brian Pieper	No	Waverly producer
7197	3/22/2019	Tim Wiese	No	Waverly producer
7198	3/22/2019	Randy Warner	No	Waverly producer
6529	3/22/2019	Beau Klug	Yes	
6494	3/22/2019	James Klug	Yes	
6480	3/22/2019	Richard Braun	Yes	
3930	3/25/2019	Brenton Hopkins	Yes	

Sixteen producers have passed the Online Test in 2019

2.A.10.a. 2019 LPNNRD Certification Classes for Nitrogen and Water Management

Class	Date & time	Location	Attendees
# 1	Thursda	Fremont - Extension Office (after the Corn Expo)	65/7

	y, January 3rd @ 3:30 p.m. <i>? Note: Corn Expo at Christen sen Field ?</i>		
# 2	Monday , January 14th @ 7:00 p.m.	ENREC - Mead (formerly ARDC)	38/2
# 3	Friday, Februar y 1st @ 9:30 a.m.	Columbus - Ag Park **	30/6
# 4	Monday , Februar y 4th @ 1:00 p.m.	David City - Butler County Events Center, at Fairgrounds	23/2
# 5	Thursda y, Februar y 7th @ 9:30 a.m.	Lindsay - Village Office	21/2
# 6	Wednes day, Februar y 20th @ 9:30 a.m.	Columbus - Ag Park **	cancel ed
# 7		Fremont - Extension Office	12/3

	Monday , March 11th @ 6:00 p.m. ##		
# 8	Tuesday , March 12th @ 9:30 a.m.	David City - Butler County Events Center, at Fairgrounds	15/3
# 9	Wednes day, March 20th @ 7:00 p.m.	ENREC - Mead (formerly ARDC)	13/24 ##
# 10	Thursda y, March 21st @ 7:00 p.m.	Columbus - Ag Park **	38/6
	**Ag Park classes will be on second floor. Entranc e is on south side - assessib le by stairs or elevator **	<b>Ten Classes</b>	305/61

## Most at this class were first-time certifiers with LPNNRD but are from LPSNRD.

**On Friday, February 15th @ 1:00 p.m. a special class was held at the Oak Ball-Room in Schuyler.**

**The class focused on Phase 2/3/4 management areas. There were 66 at this class, which included current and past directors. Six staff members were also present to assist with facilitation. Fifty attendees returned their sign-in sheet; six of these were first-time certifiers.**

**(This class met the Nitrogen & Water Management certification requirement.)**

2.A.11. Variance Scoring Sheet

Attached is the scoring sheet used for variances. Something to consider is changing the minimum score that must be met to 300 and all permits not approved will expire after 3 years after application is submitted.

Committee thought changes to the variances ranking was acceptable with staff to finalize a draft for the next Water Committee.

2.A.12. Phase Areas

Staff still plans on collecting water samples, measure extra static water levels, vadose sampling and develop GIS layers with assistance from a NET Grant. This information will be analyzed for the purpose of looking at contamination and water movement through the vadose zone and at the saturated water zones. The plan is to develop a plan on where best management practices will be most beneficial. The hope is that some producers will develop some demonstration sites for educational purposes.

Does the Committee/Board has any ideas or direction for staff to proceed 3-5 years down the road?

2.B. CHEMIGATION

For 2019 we have 93 renewals for a current total of 93. Attached is a complete breakdown for the current chemigation season.

2.C. LIVESTOCK WASTE PERMITS

The LPNDRD has received # 3 livestock permit applications from DEQ since the last Water Committee meeting.

<b>Name</b>	<b>Livestock</b>	<b>Type of Permit</b>	<b>Legal Description</b>	<b>County</b>
AB3 Poultry Farm	Poultry	New Construction	N1/2 SE1/4 28-18N-1E	Platte
TM Farm	Poultry	New Construction	N1/2 SE1/4 28-18N-1E	Platte

TJ's Chicken Farms	Poultry	New Construction	N1/2 SE1/4 28-18N-1E	Platte

Description of permit application

AB3 Poultry Farms - 190,000 Broilers 5-6 lbs (4 barns)

TM Farm - 190,000 Broilers 5-6 lbs (4 barns)

TJ's Chicken Farm - 190,000 Broilers 5-6 lbs (4 barns)

### 3. GROUND WATER PROGRAMS

#### 3.A. DECOMMISSIONED WELL PROGRAM

##### 3.A.1. Well Estimates

# new wells has been reviewed and approved for decommissioning since the last Committee meeting.

Well Owner	Type of Well	Cost Share Estimate	County

##### 3.A.2. Plugged Wells

# wells have been plugged, reviewed, and ready for cost share payment approval this month.

<b>Well Owner</b>	<b>Type of Well</b>	<b>Cost Share Estimate</b>	<b>County</b>
Curtis Havelka	Irrigation	\$375.00	Saunders
Gary Wirka	Irrigation	\$877.13	Saunders

### 3.B. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

### 3.C. GROUND WATER ENERGY LEVELS

## 4. OTHER

### 4.A. GMDA Summer Conference

The conference is June 5 - 7 in Salt Lake City.

### 4.B. COMMENTS FROM THE PUBLIC